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C O N F I D E N T I A L SECTION 01 OF 03 KINSHASA 000176

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E.O. 12958: DECL: 02/13/2017

TAGS: [PGOV](#) [PREL](#) [KDEM](#) [CG](#)

SUBJECT: NATIONAL ASSEMBLY PRESIDENT HOSTS AMBASSADORS

REF: KIN 81

Classified By: Classified by Ambassador Roger Meece. Reason 1.4 (b/d)

¶1. (SBU) Summary: National Assembly President Kamerhe and the Assembly executive officers hosted a group of Ambassadors February 12 for what was billed as the first of regular sessions to exchange views. Kamerhe briefed regarding a "moratorium" regarding controversial "double nationality" enforcement, investigations regarding recent violence in Bas-Congo province, progress toward forming recognized political caucuses and permanent committees, and a projected conference at the end of the month for regional parliamentarians. Discussion also focused on timelines for confirming a new DRC government and program, a national budget, and security issues. Kamerhe indicated he wants an active and open "parliamentary diplomacy" channel, and invited suggestions for continued regular contacts. End summary.

Opening a Channel

¶2. (U) Consistent with an earlier idea discussed by the Ambassador and National Assembly President Kamerhe (reftel), Assembly First Vice President Lutundula contacted several Ambassadors over the February 10 weekend, conveying a Kamerhe invitation for an exchange of views on Monday morning, February 12. Kamerhe acted as de facto chair, and he was accompanied by all members of the National Assembly Executive Bureau. The diplomats included Ambassadors or Charges from the UN (SRSG Swing), Britain, France, Belgium, South Africa, Angola, Russia, Gabon, Sweden, and the U.S.

¶3. (SBU) Starting the session promptly (comment: a notable feature in the DRC), Kamerhe welcomed the group, indicating that he believed it important for the new elected Assembly to maintain an active "parliamentary diplomacy" with regular exchanges with the DRC's international partners. He then delivered a largely pre-prepared statement summarizing Assembly actions in four areas at the center of current Kinshasa political discussions, and invited comments, questions, or ideas from the diplomats.

Double Nationality

¶4. (SBU) Kamerhe observed that the thorny ("epineuse") issue of Congolese citizenship has a long history in the country, and he provided a brief summary of problems and contradictions dating back to Mobutu's presidency. The issue had in essence been finessed several times, for example in

the Lusaka Accord and during the Inter-Congolese Dialogue ending the war and establishing the Transition. The new Constitution embodied a "unique and exclusive" citizenship principle established in 1981, although supporting legislation was a bit ambiguous regarding application. A relatively little-noticed 2005 decree provided that Congolese having rights to other nationalities should within three months bring themselves into compliance, presumably by declaring one nationality or the other, but relatively few had done so, and the measure had not in any case been enforced.

15. (C) Given the risk of heightened emotions of current debate on the subject, and the risk the issue could be used by "enemies of the nation," Kamerhe said that the "voice of reason" had resulted in an agreement among major Assembly political leaders to adopt a law providing for a further "moratorium" for Congolese affected by existing legislation. The Assembly would also call for the Independent Election Commission (CEI) to ensure all Congolese are provided "equal" treatment. In subsequent discussion, Kamerhe indicated that the moratorium period, possibly of six months duration, was intended as a period to get beyond current political debate and for the Assembly to define a way forward. He said the "nationality" question most certainly had to be revisited and settled definitely during the five year mandate of the current parliament. He implied that the Assembly leadership recognized that the current legal provisions were unrealistic and unenforceable, and at one point acknowledged that many Congolese have long found it useful to have European or American citizenship, for example to sidestep potential visa complications should rapid departure from the DRC seem to be in order.

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16. (C) Comment: There has been recent strong political arguments on this question generated by challenges to some elected officials who are alleged "double nationals". In fact, however, a very large number of Congolese elite in all parties are recognized citizens in other countries, and none can afford strict application of the current law. The "unique" citizenship element in the new Constitution was in fact driven almost exclusively by Congolese anxiety regarding Banyarwanda in the east and fears of Rwandan "infiltration" of Congolese society. There is a widespread recognition among Congolese politicians that the current legal framework is not tenable, and that the passage of time and hopefully improving Kigali-Kinshasa relations will provide the conditions necessary to define a satisfactory solution. In this context, the apparent agreement for a "moratorium" is a pretty good tactic to get the issue off the front pages of the newspapers for now and to move forward. End comment.

Bas Congo Violence

17. (U) Deploing the recent violence in Bas-Congo province, Kamerhe reviewed events and noted that the number of victims (police and civilians) reported by Congolese authorities, 89 dead and 34 wounded, varied from that being cited by MONUC who has reported 134 deaths. Kamerhe said he had met with all Bas-Congo Assembly members, and facilitated a meeting by them with President Kabila. An "information mission" composed of these members had been sent to Bas-Congo province to check the situation and current security and humanitarian needs. During subsequent discussion, Kamerhe indicated that a parliamentary Commission of Inquiry would likely be established upon the report of the "information mission" members. Kamerhe noted that MONUC and GDRC investigations were also being conducted.

18. (C) Kamerhe carefully withheld explicit judgment regarding responsibility for the Bas-Congo violence, but did note that "several" members of the Police, Army, and security services had been suspended pending further investigations. He

implied that some at least may have been sympathetic to the cause of Bunda dia Kongo separatists, contributing to an escalation of violence. In subsequent discussion, Kamerhe also noted that a significant number of bodies had not yet been claimed by families, suggesting that these may have been "outsiders" unknown in the local communities, although he admitted that a person from a couple of hundred kilometers away within the province would not necessarily be known locally. The diplomats attending the session expressed regret, deplored the violence, and strongly supported full and complete investigations.

Assembly Organization

¶9. (SBU) Kamerhe said that ten parliamentary "groups" or caucuses have been formally registered to-date, each with at least 25 members consistent with internal rules as adopted by the Assembly. While the registration period is still open, Kamerhe later said he expected no more than eleven such groups total. These recognized groups would then be the cornerstone for all Assembly consultations and work. In the immediate future, all would be asked to name members to the Assembly's permanent committees. In later discussion, Kamerhe noted that there would be seven such permanent committees. He fully concurred with sentiments expressed by several Ambassadors to ensure strong representation by opposition members in the committees, as well as the opportunity for full debate and contributions from all Assembly members.

Parliamentary Conference

¶10. (U) Kamerhe announced that the National Assembly intends to host a conference of Great Lakes parliamentarians February 26 - 28 of this year. He later clarified that this conference would be consistent with the recently signed Nairobi Great Lakes Pact, which would mean that parliamentarians from a relatively wide range of countries would be invited, including Kenya, Congo-Brazzaville, and other neighboring states, specifically to include Rwanda and Uganda.

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Government Program, Budget, and Other Issues

¶11. (C) During the discussion period, Kamerhe concurred with sentiments expressed by the Ambassadors regarding the need to get a government installed quickly and for all new institutions to begin dealing with a number of urgent issues. Kamerhe indicated that he expects Prime Minister-designate Gizenga to present the proposed government and its program as early as Thursday, February 15, and he intended to move as quickly as possible to ensure Assembly review and approval. In fact, he had requested Gizenga to provide written copies of the proposed program in advance to ensure distribution to all Assembly members concurrent with the formal presentation to enable subsequent plenary debate within 48 hours, and rapid establishment of a target date for formal installation of the government.

¶12. (SBU) Kamerhe also concurred with the Ambassadors on the need for rapid action to adopt a government budget, and noted that measures that have been taken to-date to provide for interim spending authority pending receipt of a government budget proposal. He readily accepted a point made by the Ambassador emphasizing the importance of security sector issues for the country, agreed that there should active Assembly involvement, and noted that one of the seven permanent committees would be charged with responsibility for this sector.

¶13. (U) The roughly two-hour meeting concluded with Kamerhe

reiterating his interest in ongoing dialogue, and inviting suggestions for the specific form and participants for future sessions. He noted that he hoped to provide more advance notice in the future, and also expressed interest in regular working level sessions involving Assembly members and working-level members from diplomatic missions. All present welcomed the initiative.

Comment

¶14. (C) The meeting represented a useful and welcome opening.

It forms a good basis at the initiative of the Congolese Assembly officers for a more structured dialogue with the new parliament to supplement bilateral contacts. In the meeting, Karmarhe continued his recent tradition of speaking in statesmanlike terms, in contrast to his past image as a highly partisan figure. The apparent agreement to put aside for the moment the potentially explosive issue of nationality is a hopeful sign that the new Assembly can find ways to avoid political impasse, a feature of the old Transition government, and work effectively. There is a long road ahead, however, to define how the new parliamentary structures are going to work. End comment.

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